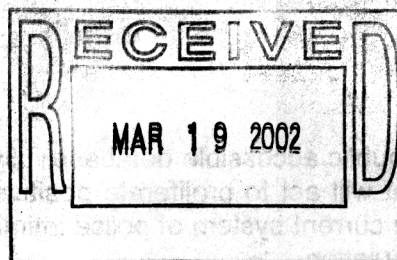


Chief
Permits
Conservation & Education Division
Office of Protected Resources
National Marine Fisheries Service
1315 East West Highway
Silver Spring, MD 20910



March 14, 2002

Dear Chief,

I am emphatically opposed to any sanctions by the NMFS proposed regulation that will prevent the interaction of humans and free-swimming dolphins in US waters. It is an abomination of personal freedoms supposedly held in the highest regard by the United States constitution. It is also an absurd proposition given the current sanctions approved by the NMFS that allow for the massive killing, harassment and enslavement of hundreds of thousands of cetaceans every year. I believe there are far more effective ways to combat dolphin abuse than the creation of useless and unenforceable regulations.

As a citizen of the United States and one who sincerely respects the sovereignty of cetaceans, I am appalled with the current sanctions allowed by NMFS that permits their wholesale slaughter by the Tuna Industry. I am horrified that NMFS sanctions "takes" of many hundreds of Cetaceans by the US Military in weapons testing and the military's use and subsequent slavery of certain varieties of dolphins being used as actual weaponry. I am deeply troubled that NMFS allows the Oil industry to use loud seismic equipment (louder than LFAS) and explosives with little or no regard to surrounding sea life.

The fact that your agency now chooses to focus attention on the relatively minor issue of human-dolphin interactivity smacks of subterfuge (the shell game) intended to direct the public's attention away from these very real threats to Cetaceans worldwide. I am concerned that you are bringing attention to this issue while allowing such overwhelming abuses to proceed unchecked and unannounced.

If NMFS is sincerely interested in addressing the problem of cetacean harassment, please consider some of the following examples of how to educate potential offenders who may carelessly be placing dolphins at risk:

- Dolphin-swim Certification programs approved by a non-governmental agency such as the Humane Society, the Sierra Club or PADI scuba certification.
- Physical outposts distributing real, factual information in problem areas where the public has been shown to be reckless in their interaction with dolphins.
- Promotion of positive information about the nature of dolphins and their behavior that will serve to encourage respect for their environment and domain.

- A public accessible database fully supported with government funding that will act to proliferate positive and factual information rather than the current system of police intimidation being proposed by this NMFS regulation.

These are a few of many constructive ideas that will serve the greater need of understanding and respecting cetaceans.

Because I do not believe that swimming in the ocean with non-captive dolphins is abusive to them or a form of harassment, I will consider any rules, laws or regulations that restrict my rights to swim in the ocean with non-captive dolphins as a violation of my constitutional rights of freedom. Please turn your attention to serious matters involving cetaceans that actually abuse and harm them. This is vitally important.

Sincerely,

Dayna Hubenthal

